

Docket No.: 1254-0321PUS1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Takaji WAKITA et al.

Application No.: 10/589,902

Confirmation No.: 2324

Filed: August 17, 2006

Art Unit: 1648

For: NUCLEIC ACID CONSTRUCT CONTAINING
FULLLENGTH GENOME OF HUMAN
HEPATITIS C VIRUS, RECOMBINANT
FULLLENGTH VIRUS GENOME-
REPLICATING CELLS HAVING THE
NUCLEIC ACID CONSTRUCT
TRANSFERRED THEREINTO AND METHOD
OF PRODUCING HEPATITIS C VIRUS
PARTICLE

STATEMENT OF SUBSTANCE OF INTERVIEW IN
ACCORDANCE WITH MPEP §713.04

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

July 31, 2009

Madam:

Applicant submits herewith a statement on the substance of the telephonic interview held on July 16, 2009 with Examiner Lucas and the Applicant's Representative. At that time, the rejections under 35 U.S.C. 112 and 35 U.S.C. 103 were discussed, particularly with reference to Applicant's response of July 1, 2009, including the claim amendments in that response. The Examiner indicated that the amendments to the claims in Applicant's response of July 1, 2009 appear to overcome the outstanding rejections. The Examiner proposed some amendments to the withdrawn method claims so that those claims could be rejoined with the product claims that

should now be allowable. Applicants subsequently filed a Supplement Amendment on July 22, 2009 to make the proposed amendments to the method claims.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: July 31, 2009

Respectfully submitted,

By 

Susan W. Gorman

Registration No.: 47,604

BIRCH, STEWART, KOLASCH & BIRCH, LLP

12770 High Bluff Drive

Suite 260

San Diego, California 92130

(858) 792-8855

Attorney for Applicant